

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

UNITED STATES OF AMERICA,

v.

[1] AHSHA NATEEF TRIBBLE

[2] DONALD KEITH ELLISON,

Defendant.

CRIMINAL NO: 19-541(FAB)

RESPONSE TO DEFENDANTS' STATUS REPORT

TO THE HONORABLE COURT:

COMES NOW the United States of America by and through the undersigned attorney and before this Honorable Court very respectfully states and prays as follows:

On September 30, 2020, Defendants Ahsha Nateef Tribble (Tribble) and Donald Keith Ellison (Ellison) filed the Defendants' Status Report, after providing the undersigned with a draft copy to review. See Docket No. 133. On that same date, the United States was ordered to respond to the motion by October 14, 2020. See Docket No. 134.

The United States respectfully informs the Court that discovery has been provided to the defense (including early-Jencks material), trial has been scheduled for January 19, 2020, and that approximately three weeks will be needed for the United States to present its case-in-chief. The undersigned has been in communication with defense counsel to discuss discovery and scheduling concerns. No discovery issues or other motions are currently pending before the Court.

With respect to the defendants' request for a status conference and "guidance from the Court about the status of the existing trial date," the United States agrees that a video teleconference (VTC) status conference in this case would be helpful. Given the uncertainty of the COVID pandemic and court-related restrictions, it would be beneficial to determine by late October whether the trial will proceed as planned. If a reasonable continuance is requested by the defense or imposed by the Court, the United States would have no objection. Such a continuance would permit the United States to avoid expending resources preparing for a trial that may be continued at a later date. That seems possible given the Court's closure through November 9, 2020 and the continued likelihood of COVID restrictions for at least several more months.

WHEREFORE, the United States respectfully requests that this Honorable Court note the United States' response to Defendants' Status Report.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, this 14th day of October, 2020.

CERTIFICATE OF SERVICE

I hereby certify that on this date, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will send notification of such filing to all CM/ECF participants.

W. STEPHEN MULDROW
United States Attorney

s/Seth A. Erbe
SETH A. ERBE
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